

CHANCERY COURT OF TENNESSEE  
140 ADAMS AVENUE MEMPHIS, TENNESSEE 38103  
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS RECEIVED

SUMMONS IN CIVIL ACTION

NO. CH-06-2331-1 AD DAMNUM \$ AUTO DEC 27 2006 OTHER ☐

TAMIKA GUY HAWKINS  
PLAINTIFF GROUP LITIGATION DEPT.  
VS Home Address

Business Address

LIFE INS CO OF NORTH AMERICA  
DEFENDANT Home Address

Business Address

TO THE DEFENDANT(S): LIFE INSURANCE COMPANY OF NORTH AMERICA  
SERVE THROUGH: COMMISSIONER OF INSURANCE- 500 JAMES ROBERTSON BLVD  
VOLUNTEER PLAZA  
NASHVILLE, TN 37243

You are hereby summoned and required to defend a civil action by filing your answer with the Clerk of the Court and serving a copy of your answer to the Complaint on

ROBERT HARDY, JR.

Plaintiff's attorney, whose address is: 100 N MAIN BUILDING, SUITE 2601, MEMPHIS, TN 38103

within THIRTY (30) DAYS after this summons has been served upon you, not including the day of service. If you fail to do so, a judgment by default may be taken against you for the relief demanded in the Complaint.

DEWUN R. SETTLE, Clerk and Master

ATTESTED AND ISSUED  
1 DECEMBER 2006

By DeWun R. Settle

TO THE DEFENDANT(S):

NOTICE: Pursuant to Chapter 919 of the Public Acts of 1980, you are hereby given the following Tennessee law provides a four thousand dollar (\$4,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the Clerk of the Court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed: these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

COST BOND

I hereby acknowledge and bind myself for the prosecution of this action and payment of all costs not to exceed \$500.00 in this court which may at any time be adjudged against the plaintiff in the event the said plaintiff shall not pay the same.

Witness My hand this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Certification when applicable

I, DEWUN R. SETTLE, Clerk and Master  
of the Chancery Court, Shelby County Tennessee  
certify this to be a true and accurate copy as filed  
this December 27, 2006

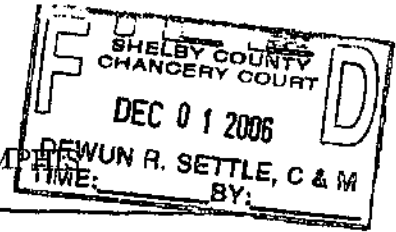
DEWUN R. SETTLE, Clerk and Master

By DeWun R. Settle, D.C.

Surety



IN THE CHANCERY COURT OF TENNESSEE  
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS



TAMIKA GUY HAWKINS

Plaintiff

VS.

LIFE INSURANCE COMPANY OF  
NORTH AMERICA

Defendants

DOCKET NO. CH 06-3331  
PART 1

**COMPLAINT FOR BREACH OF CONTACT AND /OR  
BAD FAITH DENIAL OF INSURANCE CLAIM**

Comes Now the Plaintiff, Tamika Guy Hawkins, by and through counsel and for cause of action against the Defendants, Life Insurance Company of North America, would charge and allege unto the Court as follows:

1. At the time of the incidents described in the Complaint, Plaintiff was an adult resident of Shelby County, Tennessee. Plaintiff currently resides at 8471 Ansley Park Lane, Southaven, Mississippi.
2. The Defendant, Life Insurance Company of North America, now is and at all times relevant to this action was, a corporation duly organized and existing under the laws of Pennsylvania, authorized by the Commissioner of the Tennessee Department of Commerce and Insurance to engage in the business of writing and selling insurance in Memphis, Shelby County, Tennessee and can be served with process through the Tennessee Commission of Insurance.
3. This Court has jurisdiction over the present matter as the occurrences giving rise to the present cause of action occurred in Memphis, Tennessee.

4. Venue in the instant case is properly found in Shelby County, Tennessee, pursuant to T.C.A. 20-4-101, *et. Seq.*

5. On or about September 21, 2004, Defendant, for valuable consideration issued to Plaintiff a life insurance policy on the life of her husband, Marcus D'Angelo Hawkins in the sum of \$300,000.00, which provided among other things, that the defendant would pay unto Plaintiff the sum of \$300,000.00 on due notice and proof of Marcus D'Angelo Hawkins' death. A copy of such policy is attached, marked Exhibit "1", and incorporated by reference.

6. On May 8, 2005, while the policy was in full force and effect, Marcus D'Angelo Hawkins died in Memphis, Shelby County, Tennessee in an automobile accident.

7. On or about June 7, 2005, Plaintiff gave defendant due notice and proper proof of the death of Marcus D'Angelo Hawkins.

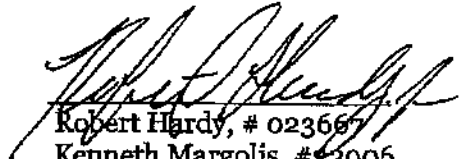
8. All the conditions of the policy have been performed by plaintiff and Marcus D'Angelo Hawkins and though more than 16 months have elapsed since Plaintiff furnished the defendant with notice and proof of the death; the defendants have failed to pay the Plaintiff the sum due on the policy, or any part of it.

9. The defendant's refusal to honor the terms of its policy and pay Plaintiff her due benefits was done in bad faith.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays for a judgment against the defendant in the sum of THREE HUNDRED THOUSAND DOLLARS (\$300,000.00), with interest on such sum from June 7, 2005 as well as for attorney fees and costs on this action any further relief to which this Honorable Court finds just

and proper. Alternatively, if this Honorable Court finds that the defendant's refusal to honor the terms of the policy was done in bad faith, in addition to the damages as set forth above, Plaintiff prays for any and all punitive or multiple damages to which she may be entitled to under law.

Respectfully Submitted;



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Kenneth Margolis, #22906  
Handel R. Durham, #10949  
Attorneys for Plaintiff  
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